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Attorneys for Vanguard Fiduciary Trust Company

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In re

SYNERGY BRANDS, INC.,

Debtor.

Chapter 7

Case No. 11-70412-dte

(Jointly Administered)

-----X  
KENNETH KIRSCHENBAUM, as Chapter 7  
Trustee for the Estate of Synergy Brands, Inc.,

Plaintiff,

v.

Adv. Proc. No. 11-08908-dte

THOMAS BARBELLA, MAIR FAIBISH,  
MITCHELL GERSTEIN, DAVID SHARIN,  
THE CHARLES SCHWAB CORPORATION,  
JPMORGAN CHASE & CO., JANNEY  
MONTGOMERY SCOTT LLC, &  
VANGUARD FIDUCIARY TRUST  
COMPANY,

Defendant.

-----X  
**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK )  
 )  
 ) S.S.:  
COUNTY OF NEW YORK )

NOVA A. CONSTANTINO, being duly sworn, deposes and says:

1. Deponent is not a party to this action, is over eighteen years of age, and resides in Queens County, State of New York.

2. On June 27, 2011, I served true and correct copies of the *Answer to Complaint*, *Counterclaim by Vanguard Fiduciary Trust Company against Kenneth Kirschenbaum, David Sharin, Crossclaim by Vanguard Fiduciary Trust Company against Kenneth Kirschenbaum, David Sharin* [Docket No. 21] and *Statement of Corporate Ownership* [Docket No. 22] upon the parties on the attached service list by depositing a true and correct copy thereof, enclosed in a postage paid, properly addressed envelope, bearing the return business address of the undersigned, in an official depository under the exclusive care and custody of the United States postal service within the city and state of New York upon the parties on the attached service list.

/s/ Nova A. Constantino

Nova A. Constantino

Sworn to before me this  
27th day of June, 2011.

/s/ Susan E. Mackey

Notary Public  
Authorized in New York State  
Commission Expires 8/7/2014  
Registration #01MA6150724

## **SERVICE LIST**

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